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# Geographical Indications in India: Present scenario

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## **Abstract:**

*Geographical Indication (GI) has developed as a significant type of Intellectual Property Rights issue in India. It provides the right to use the indication for the product to their manufacturers or producers from that particular region. It also means that they have the legal right to prohibit the use of the sign or name which doesn't have certain qualities and characteristics ensured by the GI of that particular product. Till 30<sup>th</sup> September, 2020 out of 706 applications, 370 products were registered under GI in India. Some products were also registered by foreign countries in India. 15 products from 9 countries were registered for GI. Present paper emphasizes on process of GI registration in India, registration status of different products by states and year and highlight worldwide scenario of GI in force till 2018.*

**Keywords:** Intellectual Property, Geographical Indications, Registration Process of GI, GI Tagging, India

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## **1. Introduction:**

Geographical Indication (GI) is a sign used on goods that have a particular geological origin and are unique because these goods are produced only in a certain geographical region and have assured quality. A geographical indication may be used for a wide variety of agricultural products because they are influenced by specific local geographical factors like soil and climate and that can be derived from their place of origin. But the use of GI is not limited to agricultural products only they also emphasize specific individuality of a product that is due to human factors like some specific traditions and manufacturing skills of a particular product in the place of origin. Before the TRIPS agreement, there were mainly three international conventions dealing with the protection of Indications of Geographical Origin: The Paris

Convention for the protection of Industrial Property (1883), The Madrid Agreement (1891), and The Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (1958). However, there remains the problem of a hierarchy in the levels of protection based on an arbitrary and specious categorization of goods under the TRIPS Agreement. But GI was finally included in the TRIPS Agreement can be accredited to the European Union's notable negotiating capacity. India enacted the Geographical Indication of Goods (Registration and Protection) Act in 1999, which is the first specific law that provides for the registration and protection of the GI. The act came into force on 15th September 2003. Under this act, the Central Government of India has established the Geographical Indication Registry at Chennai under the Controller General of Patents, Designs and Trade Marks to register GIs.

## **2. Definition of GI:**

According to World Trade Organization Geographical Indication means "Indications which identify a good as originating in the territory of a country, or a region or locality in that territory, where a given quality, reputation or other characteristics of the good is essentially attributable to its geographical origin". (Geographical Indication, n.d.)<sup>(1)</sup>

"A Geographical Indication is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin. To function as a GI, a sign must identify a product as originating in a given place. Also, the qualities, characteristics, or reputation of the product should be essentially due to the place of origin. Since the qualities depend on the geographical place of production, there is a clear link between the product and its original place of production". (WIPO, n.d.)<sup>(2)</sup>

## **3. Review of Literature:**

Rangnekar, Dwijen (2003) describe three conditions for the grant of protection of GI as per Article 22.1 TRIPS agreement. There are (a) The indication must necessarily identify a good and can be non-geographical names, iconic symbols, words or phrases, (b) The good must necessarily possess 'given quality' or 'reputation' or 'other characteristics' that are 'essentially attributed' to the designated geographical area of origin; and (c) The designated geographical area must be identified by the indication.<sup>(3)</sup> Hirwade Mangala (2006) stated the current scenario of GI in India and the list of registered GI till 31st January 2006. They noted that the

tea from Kenya, Sri Lanka has been selling around the world as 'Darjeeling tea', which originally denotes the fine aromatic product of North Bengal, from where it derives the name. Corporations in France and the US have been producing rice based on 'Basmati' varieties in those countries, and registering trademarks that refer to 'Basmati', thereby seeking to gain from this renowned geographical name. The US patent on 'Basmati Rice Lines and Grains' granted to Texas-based Rice Tec Inc. is a glaring example of wrongful exploitation of a renowned GI from India. <sup>(4)</sup>Mir, Farooq Ahmad & Ain, Fartual (2010) discussed different GI which could be considered for registration under the handicraft category. They also discussed that the government should support local human resources to take up handicrafts on professional lines for revenue generation. This paper points out some loopholes in the GI Act which could unjustly help traders of GI to exploit it. It has been suggested to protect traditional knowledge relating to handicrafts by some sui generis system to suit the needs of the local craftsmen. <sup>(5)</sup>Chikate, A.N. & Gadge, S.V. (2014) opine that the present GI Registry has total reliance on the physical location to register the GI instead of the skills of the person. Hence, it is unfair and unjust in cases where protected goods are merely the product of human factors. If a weaver of Chanderi Sarees may migrate to another place for a better lively hood, he may utilize his skills for making the Sarees in a new location but the region is not yet recognized as a weaver of Chanderi Sarees. In this paper, researchers have analyzed the current scenario of GI in India registered until July 2011. <sup>(6)</sup>Gulati, Shruti (2016) described the concept, historical background, and legal framework of GI in India. The researcher has analyzed the famous Indian weave case Banarasi Brocade and pointed out that the reason for getting GI is that 'it becomes the selling point as well as that characteristic which differentiate the good out of the crowd'. <sup>(7)</sup>Manjunatha, N.K. (2016) studied the status of Geographical Indication in India especially in the state of Karnataka to explore the current scenario of GI in Karnataka state from 2003 to 2015. He revealed that in India 28 states have registered their GI, among them Karnataka alone registered 33 GIs up to 18th November 2015. <sup>(8)</sup>Yadav, Sujit Kumar, et al., (2018) describes the framework of GI, the process of product registration, and different classes for registration under GI in India. 289 GI tags have been issued in India for products related to agriculture, out of which only 24 products have been issued in Uttar Pradesh. <sup>(9)</sup>

#### **4. Objectives of the Study:**

- To analyze state wise, product wise, and year wise distribution of different products under GI registered in India from April 2004 to 30th September 2020.
- To identify the foreign country's GI registered in India.
- To furnish an outline of GI in force at the international level.
- To evaluate application status wise distribution of GI registered in India.
- To analyze class wise registration of GIs.
- To evaluate the renewal status of registered GIs.

#### **5. Significance of the study**

The study helps the common man and researchers to understand the concept and the present situation of Geographical Indication in India. Further, it will help the officials of the GI registry to take necessary action on the modification of their website. This will enable Indian citizens to know how many Indian products have been registered under the GI and their importance.

#### **6. Methodology:**

This paper consists of various aspects and registration status of Geographical Indications in India. The data has been collected through secondary information sources from WTO, WIPO, and Geographical Indication Registry, India. Moreover, simple mathematical techniques are used to calculate the percentage.

#### **7. Limitations:**

The study has been confined to the doctrinal research involving books, journal articles, and relevant materials only. Because of time limitations, the researcher has covered the product list of GIs listed on the official website of IPR, India till 30th September 2020. To justify the protection of GI at the International level, the researcher has taken the data from the WIPO Statistics Database till 2018. It has not been possible to obtain data from every source by WIPO, as several countries could not provide data on the number of GIs protected through international agreements. However, these statistics offer valuable insight into how many GIs were registered till 2018 in the different parts of the world.

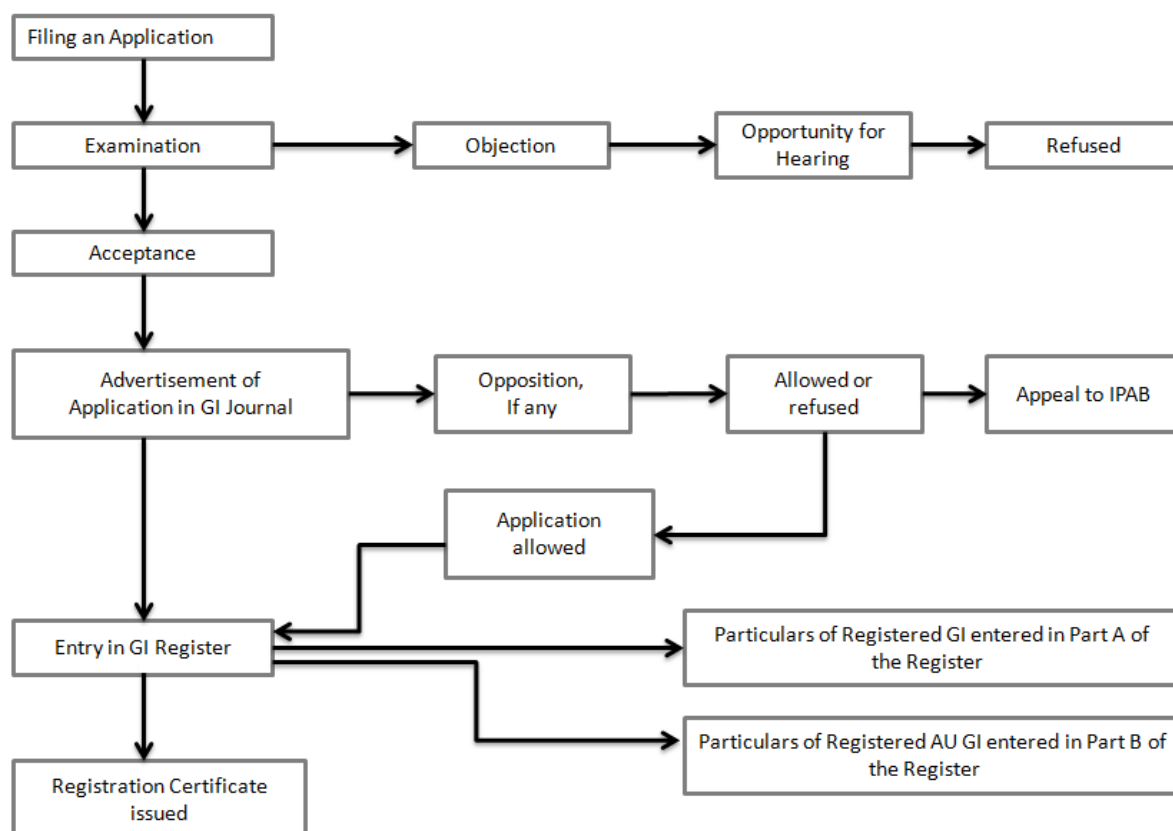
## **8. Process of GI Registration in India:**

An application for the registration of GI is made to the Registrar of Geographical Indications by any persons, producers, organization, association, or authority representing the interests of the producers of the concerned goods. Every application shall be made in the prescribed form GI – 1A to ID and shall be signed by the applicant in triplicate along with three copies of Statement of Case accompanied with the prescribed fee. The applicant should specify the interest of the producers of the concern goods to be registered.

The application will be initially examined by an expert group to check for any deficiencies or objections. If any objection arises, an appeal can be raised, and then the applicant should act in response to a public hearing within two months. If the application is accepted it will be published in the Geographical Indication Journal within three months. After that, if there is any opposition, the opponent has to file a notice within the prescribed period opposing the application of the product when it was published in a journal. The applicant has to defend the same by counteracting within two months of communication time from the opponent, with the necessary counter statement. If the counter-statement has been filed, both parties (defender and opponent) will provide their evidence by affidavit and supporting documents during the hearing. If there is no counter-statement, the application of the applicant will be considered for GI acceptance by the Registrar from the date of filing, and a certificate will be issued with the seal of the Geographical Indication Registry.<sup>(10)</sup>

The registration of a GI is valid for ten years. If the applicant wishes to renew the same, it is doable for a further period of 10 years each. If it is not, it is likely to be removed from the GI register.

**Figure – 1. Registration Process Flow Chart**



Source: [www.ipindia.nic.in](http://www.ipindia.nic.in)

## 9. GI in force in 2018 – worldwide:

GI can be protected through a variety of lawful means i.e. trademark laws, sui generis systems, international agreements, and other national legal means, etc. at the International level. Such data of GI protection at a national level is often shared among several National Intellectual Property Offices. WIPO has gathered all this data from various sources.

### GIs in force in 2018

National / Regional Authority	Sui generis	Trademarks	Agreements	Regional System	Other National Legal Means	Unknown	Total
Germany	7276	1	3752	4537	--	--	15566
China	2380	4867	--	--	--	--	7247
Hungary	25	--	3224	3434	--	--	6683

<b>National / Regional Authority</b>	<b>Sui generis</b>	<b>Trademarks</b>	<b>Agreements</b>	<b>Regional System</b>	<b>Other National Legal Means</b>	<b>Unknown</b>	<b>Total</b>
Czech Republic	62	--	2789	3434	--	--	6285
Bulgaria	111	--	2493	3434	--	--	6038
Italy	36	--	2545	3434	--	--	6015
Portugal	20	--	2544	3434	--	--	5998
Slovakia	20	--	2542	3434	--	--	5996
France	7	--	2543	3434	4	--	5988
Austria	--	--	1723	3434	--	--	5157
Netherlands	--	--	1570	3434	--	--	5004
Poland	35	--	1534	3434	--	--	5003
Greece	16	--	1534	3434	16	--	5000
Romania	23	--	1534	3434	--	--	4991
Ireland	8	--	1534	3434	--	--	4976
Luxembourg	--	--	1534	3434	8	--	4976
Estonia	6	--	1534	3434	--	--	4974
Croatia	3	--	1534	3434	--	--	4971
Latvia	3	--	1534	3434	--	--	4971
Belgium	2	--	1534	3434	--	--	4970
Malta	--	2	1534	3434	--	--	4970
Slovenia	1	--	1534	3434	--	--	4969
Cyprus	--	--	1534	3434	--	--	4968
Denmark	--	--	1534	3434	--	--	4968
Finland	--	--	1534	3434	--	--	4968
Lithuania	--	--	1534	3434	--	--	4968
Spain	--	--	1534	3434	--	--	4968



<b>National / Regional Authority</b>	<b>Sui generis</b>	<b>Trademarks</b>	<b>Agreements</b>	<b>Regional System</b>	<b>Other National Legal Means</b>	<b>Unknown</b>	<b>Total</b>
Sweden	--	--	1534	3434	--	--	4968
United Kingdom	--	--	1534	3434	--	--	4968
Republic of Moldova	18	--	4714	--	--	--	4732
Bosnia and Herzegovina	13	--	4486	--	--	--	4499
Georgia	48	--	4378	--	--	--	4426
Armenia	8	--	3220	--	--	--	3228
Ukraine	25	--	3090	--	--	--	3115
Australia	116	76	1872	--	--	--	2064
Mexico	16	--	1671	--	--	--	1687
Viet Nam	69	1061	--	--	--	--	1130
Costa Rica	4	--	1117	--	--	--	1121
Peru	10	--	1062	--	--	--	1072
Serbia	81	3	936	--	--	--	1020
Cuba	25	5	971	--	--	--	1001
Israel	1	--	999	--	--	--	1000
Canada	651	--	184	--	--	--	835
United States of America	--	779	--	--	--	--	779
Turkey	395	--	3	--	--	--	398
Iran (Islamic Republic of)	30	--	355	--	--	--	385
India	330	--	--	--	--	--	330
Russian Federation	184	--	101	--	--	--	285
Chile	40	--	116	--	--	--	156
Colombia	151	--	--	--	--	--	151
El Salvador	96	30	13	--	--	--	139

<b>National / Regional Authority</b>	<b>Sui generis</b>	<b>Trademarks</b>	<b>Agreements</b>	<b>Regional System</b>	<b>Other National Legal Means</b>	<b>Unknown</b>	<b>Total</b>
Morocco	66	54	1	--	--	--	121
Thailand	119	--	--	--	--	--	119
Guatemala	3	--	113	--	--	--	116
Argentina	108	--	--	--	--	--	108
Japan	73	--	7	--	10	--	90
Malaysia	84	--	--	--	--	--	84
Indonesia	74	--	--	--	--	--	74
Brazil	68	--	--	--	--	--	68
Ecuador	5	--	48	--	--	--	53
Kazakhstan	47	--	--	--	--	--	47
Honduras	--	45	--	--	--	--	45
China, Hong Kong SAR	--	43	--	--	--	--	43
Azerbaijan	--	--	--	--	--	35	35
Belarus	31	2	--	--	--	--	33
Norway	29	--	--	--	--	--	29
New Zealand	21	--	--	--	--	--	21
Albania	--	--	--	--	13	--	13
Bhutan	--	11	--	--	--	--	11
China, Macao SAR	2	9	--	--	--	--	11
Andorra	4	2	1	--	--	--	7
Jordan	--	5	--	--	--	--	5
Sri Lanka	--	4	--	--	--	--	4
Bangladesh	3	--	--	--	--	--	3
Jamaica	2	1	--	--	--		3

National / Regional Authority	Sui generis	Trademarks	Agreements	Regional System	Other National Legal Means	Unknown	Total
Lao People's Democratic Republic	--	--	--	--	--	2	2
Botswana	--	--	--	--	1	--	1
Cambodia	1	--	--	--	--	--	1
Iceland	1	--	--	--	--	--	1
Mongolia	1	--	--	--	--	--	1
Trinidad and Tobago	1	--	--	--	--	--	1
Kenya	--	--	--	--	--	--	0
<b>Total</b>	<b>13088</b>	<b>7000</b>	<b>82795</b>	<b>97255</b>	<b>52</b>	<b>37</b>	<b>200227</b>

**Source:** WIPO statistics database, April 2020

It has been revealed that Germany had the largest number of GIs in force 15566 in 2018, followed by China 7247, Hungary 6683, Czech Republic 6285, Bulgaria 6038, and Italy 6015. In total 2, 00,227 GIs are in force till 2018 worldwide.

#### **10. Registration Status of GI in India:**

The registration process of GI products has been started in India since 2003. In its inception, three products were registered. Under agriculture product The Darjeeling Tea (both word and logo) was first registered, followed by Aranmula Kannadi, Handicraft product of Kerala, and Pochampalli Ikat from Andhra Pradesh. Till today out of 706 applications, 370 products were registered under GI, 53 products were refused, 25 were withdrawn, 28 were abandoned and 230 products are pending for registration. Some products were also registered by foreign countries in India. 15 products from 9 countries were registered for GI. Peruvian Pisco, a brandy under manufactured goods was the first product registered by Peru in the year 2009-10, followed by France Champagne (2010-11) and Cognac (2011-12), USA Napa Valley (2010-11), United Kingdom Scotch Whiskey (2010-11), Italy Prosciutto di Parma (2010-11), Parmigiano Reggiano, Prosecco and Asiago (2016-17) and Grana Padano (2018-19), Portugal

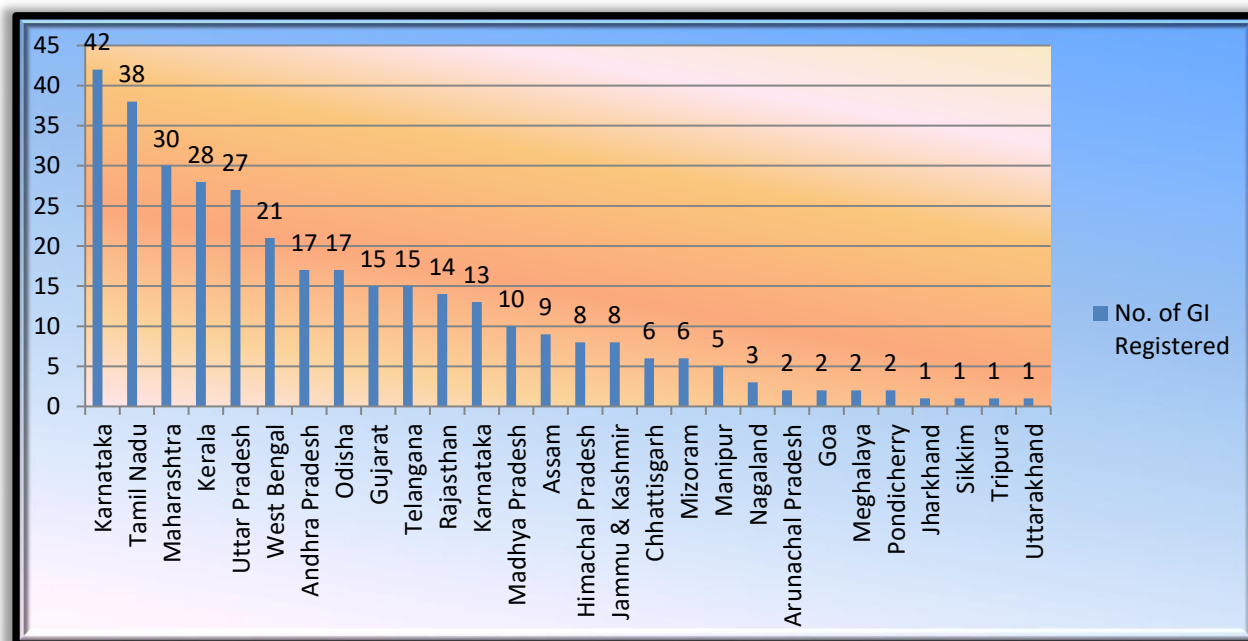
Porto and Douro (2011-12), Mexico Tequila (2012-13), Thailand Lamphun Brocade Thai Silk (2017-18) and Ireland Irish Whisky (2019-20).

**Table – 1. State wise registration status of GI:**

Sr. No.	State	No. of GI Registered	%
1	Karnataka	42	11.35
2	Tamil Nadu	38	10.27
3	Maharashtra	30	8.11
4	Kerala	28	7.57
5	Uttar Pradesh	27	7.30
6	West Bengal	21	5.68
7	Andhra Pradesh	17	4.59
8	Odisha	17	4.59
9	Gujarat	15	4.05
10	Telangana	15	4.05
11	Rajasthan	14	3.78
12	Karnataka	13	3.51
13	Madhya Pradesh	10	2.70
14	Assam	9	2.43
15	Himachal Pradesh	8	2.16
16	Jammu & Kashmir	8	2.16
17	Chhattisgarh	6	1.62
18	Mizoram	6	1.62
19	Manipur	5	1.35
20	Nagaland	3	0.81
21	Arunachal Pradesh	2	0.54
22	Goa	2	0.54
23	Meghalaya	2	0.54
24	Pondicherry	2	0.54
25	Jharkhand	1	0.27
26	Sikkim	1	0.27
27	Tripura	1	0.27

Sr. No.	State	No. of GI Registered	%
28	Uttarakhand	1	0.27

**Graph – 1. State wise registration status of GI:**



It has been revealed from Table – 1, that in India, maximum i.e. 42 (11.35%) Geographical Indications were registered by the state of Karnataka followed by 38 (10.27%) from Tamil Nadu State, 30 (8.11%) from Maharashtra State, 28 (7.57%) from Kerala while the state of Uttar Pradesh has registered 27 (7.30%) GIs.

**Table – 1 (A) Intra-state registration status**

Sr. No.	State	No. of GI Registered	%
1	Karnataka & Kerala	2	0.54
2	Andhra Pradesh & Odisha	1	0.27
3	Karnataka & Maharashtra	1	0.27
4	Kerala & Tamil Nadu	1	0.27
5	Kerala, Karnataka & Tamil Nadu	1	0.27
6	Maharashtra & Madhya Pradesh	1	0.27
7	Maharashtra, Gujarat, Dadra & Nagar Haveli, Daman Diu	1	0.27

Sr. No.	State	No. of GI Registered	%
8	Punjab / Haryana / Himachal Pradesh / Delhi / Uttarakhand / Uttar Pradesh / Jammu & Kashmir	1	0.27
9	Punjab, Haryana & Rajasthan	1	0.27
10	Telangana & Andhra Pradesh	1	0.27

**Graph – 1 (A) Intra-state registration status**

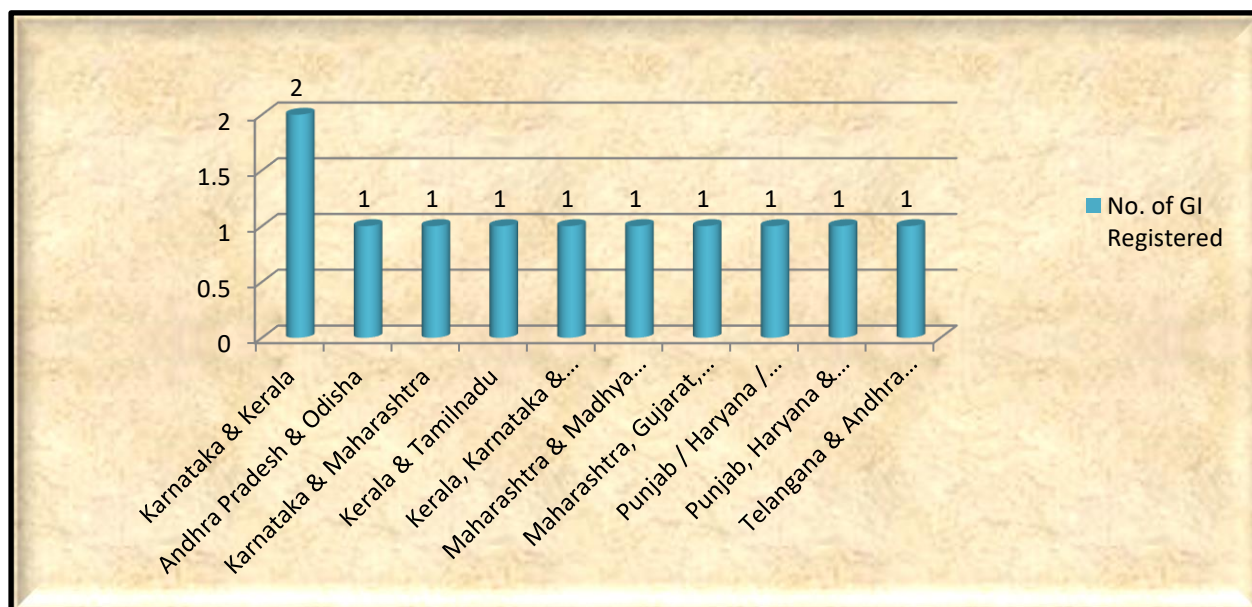


Table – 1 (A) Shows GI Intra-state registration. These states have collaboratively registered their GI. Karnataka and Kerala have registered 2 (0.54%) products while other intra-states have registered only 1 product.

**Table – 1(B) Foreign country's registration status in India**

Sr. No.	Country	No. of GI Registered	%
1	Italy	5	1.35
2	France	2	0.54
3	Portugal	2	0.54
4	Ireland	1	0.27
5	Mexico	1	0.27
6	Peru	1	0.27
7	Thailand	1	0.27

Sr. No.	Country	No. of GI Registered	%
8	United Kingdom	1	0.27
9	United States of America	1	0.27

**Graph – 1 (B) Foreign country's registration status in India**

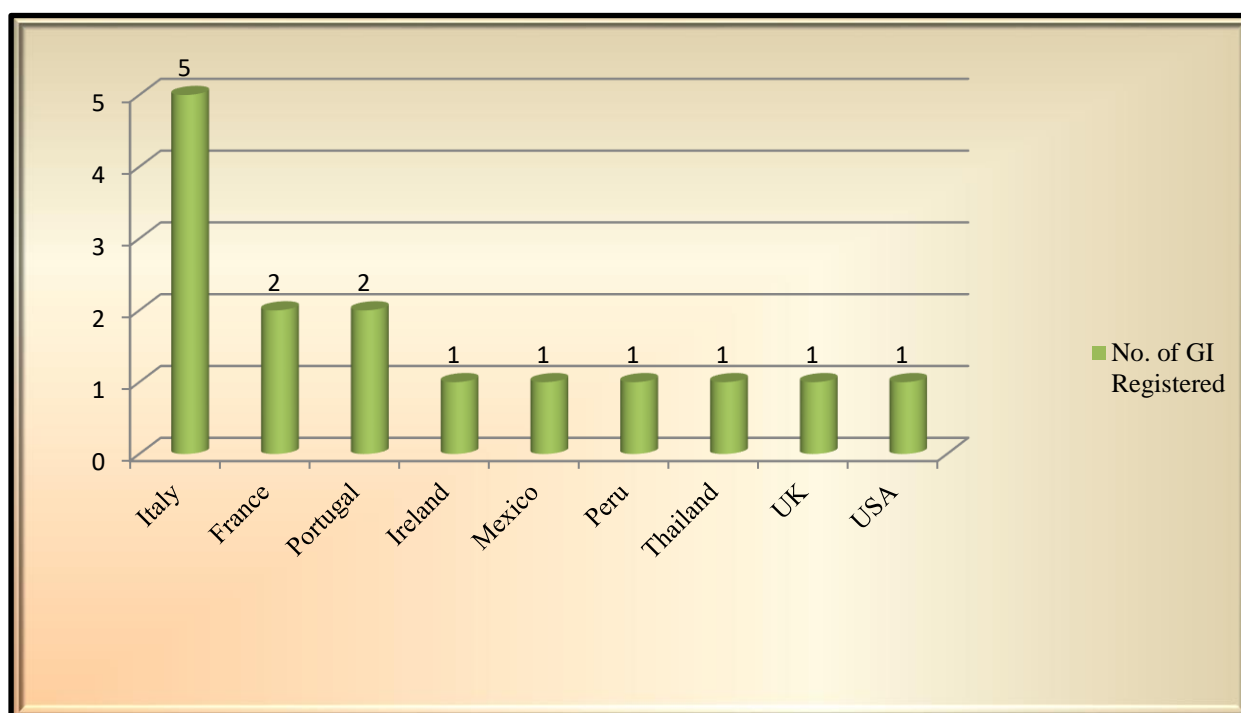


Table – 1 (B) indicates the foreign country-wise registration status of GI in India. Italy has registered 5 (1.35%) GIs while France and Portugal have registered 2 (0.54%) GIs each and the rest of the countries were registered only 1 GI.

**Table – 2. Product wise distribution in India**

Sr. No.	Type of Goods	No. of GI Registered	%
1	Handicrafts	214	57.84
2	Agricultural	112	30.27
3	Manufactured	24	6.49
4	Food Stuff	18	4.86
5	Natural Goods	2	0.54
<b>Total</b>		<b>370</b>	<b>100</b>

**Graph – 2. Product wise distribution in India**

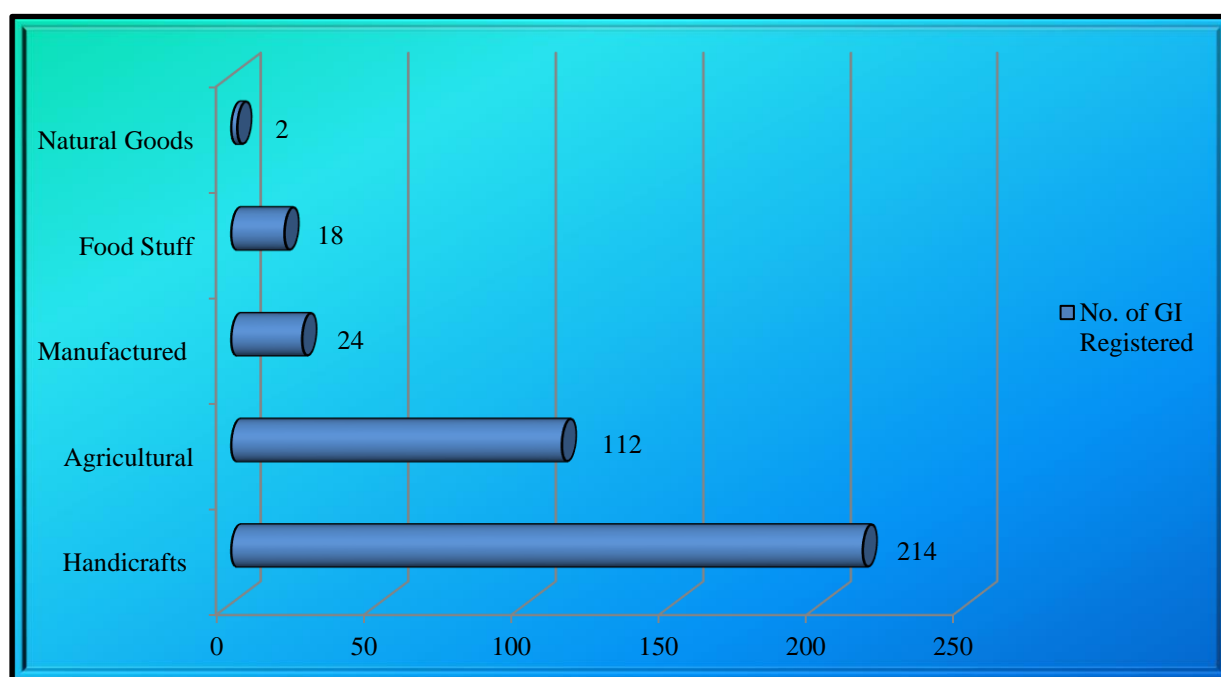


Table – 2 shows that the maximum number of GIs was registered from the Handicrafts category i.e. 214 (57.84%) of the total registration followed by 112 (30.27%) from Agricultural and 24 (6.49%) from the Manufactured category.

**Table – 3. Year wise distribution in India**

Sr. No.	Year	No. of GI Registered	%	Sr. No.	Year	No. of GI Registered	%
1	2004 – 2005	03	0.81	10	2013 – 2014	22	5.95
2	2005 – 2006	24	6.49	11	2014 – 2015	20	5.41
3	2006 – 2007	03	0.81	12	2015 – 2016	26	7.03
4	2007 – 2008	31	8.38	13	2016 – 2017	33	8.92
5	2008 – 2009	45	12.16	14	2017 – 2018	26	7.03
6	2009 – 2010	14	3.78	15	2018 – 2019	23	6.22
7	2010 – 2011	29	7.84	16	2019 – 2020	22	5.95
8	2011 – 2012	23	6.22	17	2020 – till date	05	1.35
9	2012 – 2013	21	5.68				
<b>Total</b>						<b>370</b>	<b>100</b>



**Graph – 3. Year wise distribution in India**

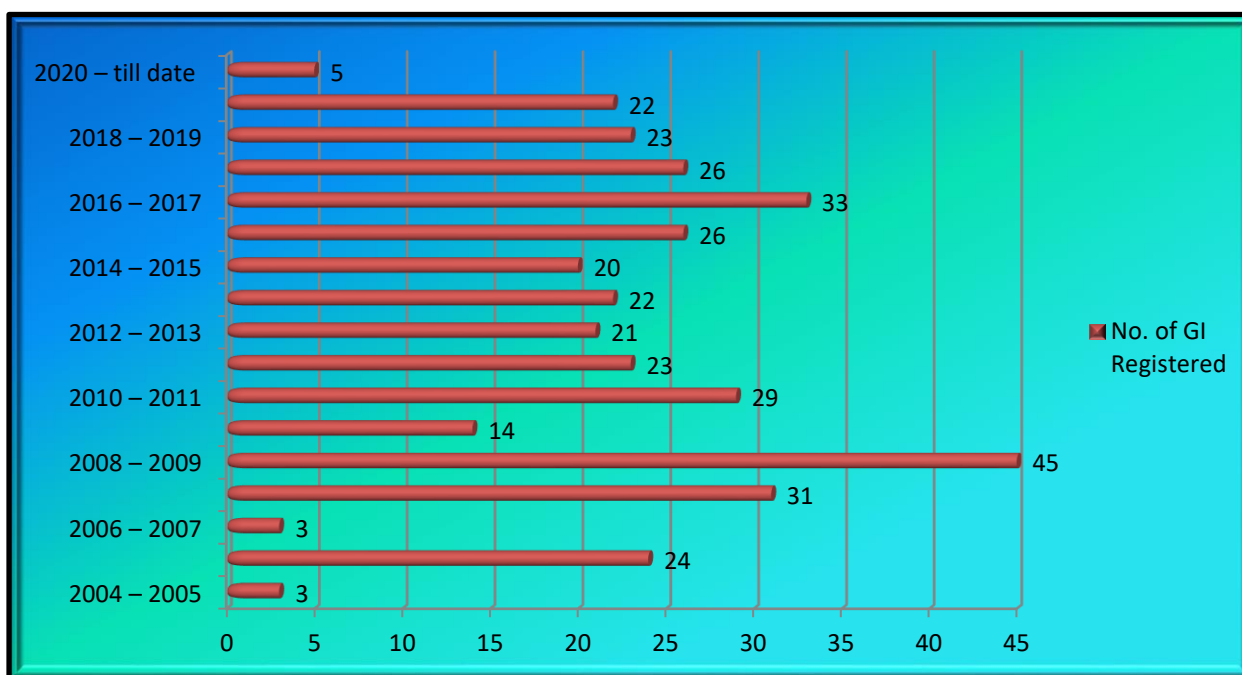
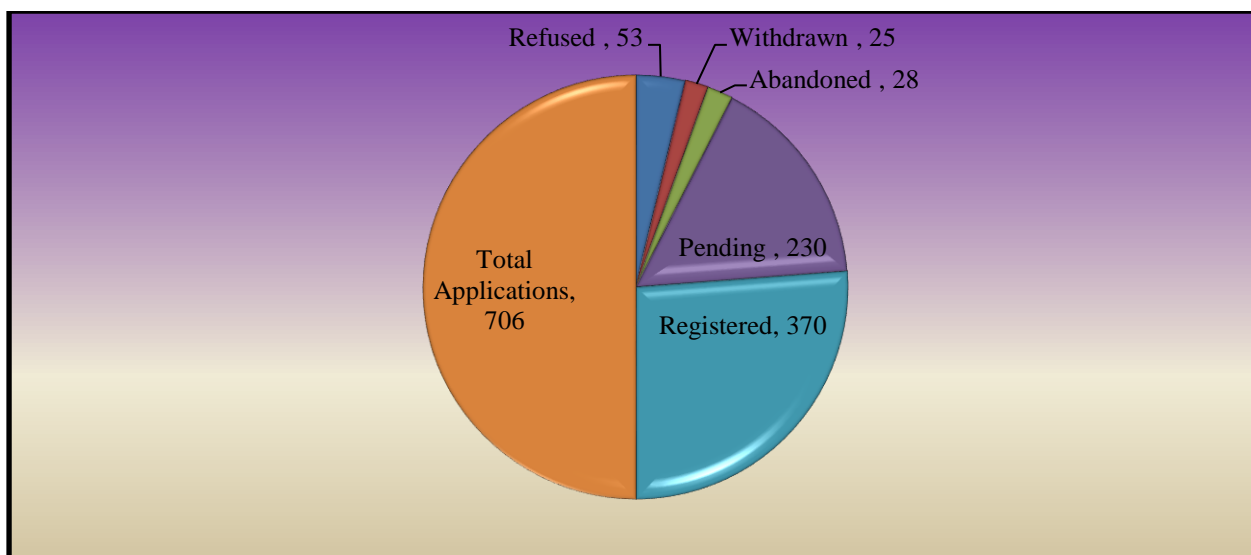


Table – 3 depicts the year-wise distribution of GIs registered in India. Maximum 45 (12.16%) GIs were registered in the year 2008 – 2009 followed by 33 (8.92%) in the year 2016 – 2017 and a minimum of 3 (0.81%) GIs were registered in the year 2004 – 2005 and 2006 – 2007 respectively.

**Table – 4. Application status of GIs registered in India**

Sr. No.	Refused	Withdrawn	Abandoned	Pending	Registered	Total Applications
1	53	25	28	230	370	706

**Graph – 4. Application status of GIs registered in India**



It has been observed from Table – 4, that in India, out of 706 applications, 53 were refused, 25 were withdrawn, 28 were abandoned, 230 applications were pending while 370 products were registered in Geographical Indication Registry.

**Table – 5. Class wise distribution of GIs registered in India**

Class	Particular	Registered GI
1	Chemical used in industry	0
2	Paints, varnishes, lacquers	0
3	Bleaching preparations and other substances for laundry use	5
4	Industrial oils and greases	0
5	Pharmaceutical, veterinary and sanitary preparations	0
6	Common metals and their alloys	12
7	Machines and machine tools	1
8	Hand tools and implements	1
9	Life saving and teaching apparatus and instruments	0
10	Surgical, medical, dental and veterinary apparatus and instruments	0
11	Apparatus for lighting, heating, steam generating, etc. purposes	0
12	Vehicles; apparatus for locomotion by land, air or water	0
13	Firearms; ammunition and projectiles	0
14	Precious metals and their alloys and goods in precious metals	8

<b>Class</b>	<b>Particular</b>	<b>Registered GI</b>
15	Musical instruments	2
16	Paper, cardboard and goods made from these materials	9
17	Rubber, mica and goods made from these materials	0
18	Leather and imitations of leather	3
19	Building materials	6
20	Furniture	16
21	Household or kitchen utensils and containers	8
22	Ropes and raw fibrous textile materials	0
23	Yarns and threads, for textile use	2
24	Textiles and textile goods, not included in other classes	26
25	Clothing, footwear, headgear	13
26	Lace and embroidery	5
27	Carpets, linoleum and other materials for covering existing floors;	20
28	Games and playthings	8
29	Meat, fish, poultry	10
30	Coffee, flour and preparations made from cereals	57
31	Agricultural, horticultural and forestry products and grains	65
32	Beers, mineral and aerated waters, and other non-alcoholic drinks	0
33	Alcoholic beverages	12
34	Tobacco, smokers' articles, matches	0
	* GI Registered for two combined classes	50
	*GI Registered for three combined classes	21
	* GI Registered for three or more combined classes	10
<b>Total</b>		<b>370</b>

(\*Note: - As some products were made from various materials and the parts constitute article included in other classes, such products were registered between multiple classes. i.e. many Handicraft products were made from various material so it will be registered under two classes 24 and 25)

Table – 5 indicates the class-wise distribution of GIs registered in India. It has been observed that a maximum of 65 products was registered under class 31 (Agricultural, horticultural, and forestry products and grains) followed by 57 from class 30 (Coffee, flour, and preparations made from cereals). While two or combined classes - 50 products were registered.

**Table – 6. Renewal Status of GIs registered in India**

Sr. No.	Renewed	Non-Renewed	Unknown status	Total
1	329	15	26	370

**Graph – 6. Renewal Status of GIs registered in India**

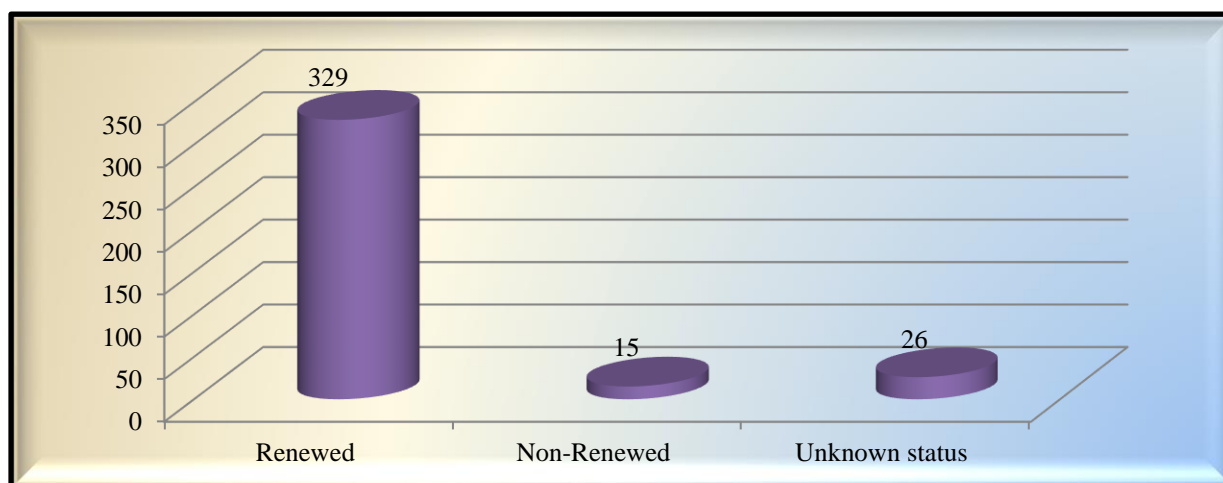


Table – 6 reveals that till 30th September 2020, out of 370 products, 329 products were renewed on time, 15 were not renewed, while the status of 26 products were unknown in the registry.

## 11. Finding and Suggestions:

Following are the findings of the study.

- In total 2, 00,227 GIs are in force till 2018 worldwide.
- Germany had the largest number of GIs in force (15,566) in 2018.
- Till 30th September 2020, a total of 370 items were registered under 34 classes in India.
- The Darjeeling Tea (both word and logo) under the class agriculture product is the first GI that is registered in India.
- Maximum i.e. 42 (11.35%) Geographical Indications were registered by the state of Karnataka.
- 11 products were collaboratively registered by 19 states.

- Peru is the first country to register its product Peruvian Pisco, a brandy, under manufactured goods class 33 in the year 2009-10.
- Italy has registered 5 (1.35%) GIs.
- Maximum numbers of GIs were registered from the Handicrafts category i.e. 214 (57.84%).
- Maximum 45 (12.16%) GIs were registered in the year 2008 – 2009.
- Till 30th September 2020, out of 706 applications, 52.40% of products were registered while 32.57% of applications were pending and under process.
- Maximum 65 products were registered under class 31 - Agricultural, horticultural, and forestry products and grains.
- Out of 370 products, 88.91% of products were renewed for further 10 years while 4.05% of products were not renewed to date.

### **Suggestions:**

- In 26 products, the registration renewal date is not mentioned. It may be rectified to understand the actual situation of GI registered in India.
- The details of registered authorized users of GIs are mentioned separately in PDF format and individual GI product detail, wherein the renewal of authorized users is not mentioned. It would be good if the same is included in it.
- In the fourth schedule – classification of goods, instead of the numerical number, the name of the class should also be included in the 'application details' window. It will be beneficial for the general public to understand the class.
- A state-wise list of Authorised GI agent/s may be including.
- If any GI is not renewed in the stipulated period, a separate list of such products may be incorporated in the 'application detail'.
- Details, where the GIs are misused, can be incorporated in the application detail window.
- For easy access purposes, all the details about GIs may be export in excel file format.

### **12. Conclusion:**

A Geographical Indication tag is a matter of pride to both the manufacturer and consumer as a symbol of excellence and a sense of guarantee or uniqueness and safety of rights to the parties involved in the production. GI has been a boon to people around the world, especially

the poor craftsmen who put in their best efforts to maintain such quality that is known and retained worldwide. A GI tag is an essential component to maintain the essence and originality of a product of certain features and characteristics. France was the first country to enact a comprehensive system for the protection of GIs that has later influenced the making of both national laws and international treaties. India hasn't been left behind in lawfully taking this aspect of Intellectual Property Rights forward.

## References:

1. World Trade Organisation. Agreement on Trade Related Aspects of Intellectual Property Rights. Protection of Geographical Indication. Article 22.1. Retrieved from. [https://www.wto.org/english/docs\\_e/legal\\_e/27-trips\\_04b\\_e.htm](https://www.wto.org/english/docs_e/legal_e/27-trips_04b_e.htm).
2. World Intellectual Property Organization. Geographical Indication. Retrieved from. [https://www.wipo.int/geo\\_indications/en/](https://www.wipo.int/geo_indications/en/).
3. Rangnekar, Dwijen (2003). *Geographical Indications: A Review of Proposals at the TRIPS Council*. UNCTAD-ICTSD Project on IPRs and Sustainable Development. Retrieved from [https://unctad.org/en/PublicationsLibrary/ictsd2003ipd4\\_en.pdf](https://unctad.org/en/PublicationsLibrary/ictsd2003ipd4_en.pdf) on 25th August, 2020.
4. Hirwade, Mangala & Hirwade, Anil W. (2006). *Geographical Indications: Indian scenario*. Retrieved from <https://www.researchgate.net/publication/28805024> on 25th August, 2020.
5. Mir, Farooq Ahmad & Ain, Fartual (2010). *Legal Protection of Geographical Indications in Jammu and Kashmir: A Study of Kashmiri Handicrafts*, Journal of Intellectual Property Rights, Vol.15 (3), 220-227.
6. Chikate, Anil Nanji & Gadge, Sharmila V. (2014) *Geographical Indications: A Brief Appraisal of Indian Scenario*, SRELS Journal of Information Management, Vol. 51 (6). 377-385.
7. Gulati, Shruti. (2016). *Geographical Indications in India & the Case of Famous Indian Weave: Banarasi Brocade*, International Journal of Research – Granthaalayah, Vol. 4 (12), 137-146.
8. Manjunatha, N.K. (2016). *Status of Geographical Indications in India, Especially Karnataka*, Third Concept 30, 32-39.
9. Yadav, Sujitkumar, et.al. (2018). *Geographical Indication and Registration for it in Uttar Pradesh, India: Present and Future Potential*, International Journal of Research in Agricultural Sciences, Vol. 5 (1), 48-57.

10. Geographical Indication Registry. Retrieved from. <http://www.ipindia.nic.in/registered-gls.htm> accessed on 30th September, 2020.
11. Ahuja, V.K. (2018). *Law Relating to Intellectual Property Rights* (3<sup>rd</sup> Ed.). New Delhi: LexisNexis.
12. Watal, J. (2001). *Intellectual Property Rights in Developing Countries*. New Delhi: Oxford University Press.
13. Sharma, Swati (2019). *Geographical Indication in India: Current Scenario and their Product Distribution*, International Journal of Social Science and Economic Research, Vol. 4 (4), 2792-2806.
14. Kangabam, Rajiv D. et. al. (2013). *Importance of Geographical Indication for Conservation of Traditional Products*, NeBio – A Journal of Environment and Biodiversity, Vol. 4 (2). 55-58. Retrieved from <https://www.researchgate.net/publication/257314006> on 25thAugust, 2020.
15. Kumar, Sujit& Srivastava, Seweta. (2017). *The legal status of geographical indications in India*, Bioved Journal Vol. 28 (1), 43-56. Retrieved from <https://www.researchgate.net/publication/315696865> on 28thAugust, 2020.
16. WIPO IP Statistics Data Center. Retrieved from. <https://www3.wipo.int/ipstats/index.htm?tab=geographical> accessed on 30<sup>th</sup> September, 2020.